

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
DIVISION OF DESIGN PROFESSIONALS
1511 PONTIAC AVENUE, BLDG. 68-2
CRANSTON, RI 02920
(401) 462-9592 Fax: (401) 462-9532 www.bdp.state.ri.us**

MINUTES OF THE MEETING OF THE BOARD

DATE: 9 December 2009

**PLACE: Department of Business Regulation
 1511 Pontiac Avenue, Building 69, Conference Room
69-1 Cranston, RI 02920**

TIME: 12:00 PM

**MEMBERS PRESENT: Chairman L. Robert Smith, PE, Vice Chairman
Nicholas W. Capezza, Jr., PE, Robert W. Fairbanks, Jr., PE, Board
Member and Christopher Duhamel, PE.,PLS, Board Member**

MEMBERS ABSENT: Secretary Richard A. Bernardo, PE

**OTHERS PRESENT: Richard W. Bernstein, Esq.
 Brian Riggs, Department Budget Administrator
Lois Marshall, Administrative Assistant**

CALLED TO ORDER: Chairman Smith called the meeting to order at 12:10 PM to commence Board business.

(1) NEW BUSINESS:

Vice Chairman Capezza, Jr. made a motion to accept the minutes of the 7 October 2009 Board meeting. Mr. Duhamel seconded the motion. The motion passed unanimously, four in favor, one absent. Voting in favor were Chairman Smith, Vice Chairman Capezza, Jr., Messrs. Fairbanks Jr., Mr. Duhamel, Board members. Absent was Secretary Richard A. Bernardo. Vice Chairman Capezza, Jr. made a motion to approve and seal the minutes of the Executive Session of 7 October 2009. Mr. Duhamel seconded the motion. The motion passed unanimously, four in favor, one absent. Voting in favor were Chairman Smith, Vice Chairman Capezza, Jr., Messrs. Fairbanks Jr., Mr. Duhamel, Board members. Absent was Secretary Richard A. Bernardo

EXECUTIVE SESSION

A motion was made by Mr. Duhamel at 12:12 PM to move into Executive Session pursuant to RI General Laws, Section §42-46(5)(a)(2) for sessions pertaining to collective bargaining or litigation. Mr. Fairbanks, Jr. seconded the motion. The motion was passed unanimously, four in favor, one absent. Voting in favor were Chairman Smith, Vice Chairman Capezza, Jr., Messrs. Fairbanks Jr., Mr. Duhamel, Board members. Absent was Secretary Richard A.

Bernardo.

Mr. Fairbanks, Jr. moved to adjourn from executive session and reconvene to open meeting at 12:50 PM pursuant to R.I.G.L. §42-46(5) (a) (2) and §42-46-5 (a) (4) and seal the Minutes of the Executive Session. Mr. Duhamel seconded the motion. The motion passed unanimously, four in favor, one absent. Voting in favor were Chairman Smith, Vice Chairman Capezza, Jr., Messrs. Fairbanks Jr., Mr. Duhamel, Board members. Absent was Secretary Richard A. Bernardo.

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Mr. Fairbanks, Jr. made a motion to confirm in open session the votes taken in executive session in accordance with R.I.G.L. §42-46-5 (a) (4) as follows: close P2009-7 The Board of Registration for Professional Engineers vs Edgar A. Stacy, III, P2008-28 The Board of Registration for Professional Engineering Board vs MDM Engineering Co., Inc. and P2009-5 Gloria DiZoglio vs Jeffrey Campopiano, PE and under monitoring C2007-8 Joseph Giuttari vs Brian Thalmann, PE/Thalmann Engineering Co to have Attorney Bernstein prepare the legal document. Vice Chairman Capezza, Jr. seconded the motion. The motion was passed unanimously, three in favor, one absent and one abstained. Voting in favor were Vice Chairman Capezza, Jr., Messrs. Fairbanks Jr., Mr. Duhamel, Board members. Absent was Secretary Richard A. Bernardo. Abstained was Chairman Smith.

(3) Discussion of the Task List

Attorney Bernstein reported that the State Board of Registration for Professional Land Surveyors had voted to approve the latest version of the Task List. If the Professional Engineering Board concurs with the latest wording then it would be up to both Boards to formally agree. It was the Board's decision not vote until all Board members are present.

(4) Proposed Statutory Authorization

Attorney Bernstein is preparing legislation proposed by the Architect Board that would allow each Board to pursue individuals for unauthorized practice. If passed than any one of the Boards has the legal authority to impose fines unilaterally to any individual who is engaged in unregistered activity based on how serious the offense is.

The Board would make their recommendation to the Director and then the Director would approve, amend or deny. Mr. Fairbanks, Jr. made a motion that the Board agrees with the suggested language with the provision suggested by Attorney Bernstein, that this Sub Section shall not apply to disputes between the Boards as to the scope of a registrant's authority. Vice Chairman Capezza, Jr. seconded the motion. The motion was passed unanimously, three in favor, one absent. Voting in favor were Chairman Smith, Vice Chairman Capezza, Jr., Mr. Fairbanks Jr., Board member. Absent was Secretary Richard A. Bernardo. Mr. Duhamel left at 1:20PM.

(5) Meeting with Tom Viall, General Manager of RI.Gov

Present was Tom Viall and Joe Alba of RI.Gov and Dawne Broadfield, Administrative Assistant for the Architect Board to discuss online renewals for Certificate of Authorizations (COA) for the Board of Professional Engineers Board. It was Attorney Bernstein's legal opinion that registrants would have to certify under penalty of perjury as part of the renewal process that the company had acquired the necessary documentation. Mr. Viall will return to the Board at their 20 January 2010 meeting with several options for the Board's review.

(6) Correspondence received from Lesley Rosier-Tabor, Chair of the NE Zone Awards Committee

So noted and filed.

(7) NCEES Notice of Future Exam Changes

Chairman Smith explained to the Board that the Structural I and II examinations will be replaced with a two part sixteen hour examination. An applicant must pass both sections in order to be registered as a Structural engineer.

(8) Correspondence received from Susan M. Cline, PE, NCEES Exam Development Engineer

Chairman Smith informed the Board that NCEES had updated the specifications for the Transportation depth module of its Civil PE examination.

(9) 2010 Joint Northeast/Southern Zone Interim Meeting

Chairman Smith will be representing the Board at the 2010 Joint Northeast/Southern Zone Interim Meeting.

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(10) NCEES 2010 Approved Exam Calculator List

So noted and filed.

APPLICATIONS:

(11) Christopher F. Ray

The Board reviewed additional information received from the Maine Board of Professional Engineers. Mr. Fairbanks, Jr. made a motion to approve Mr. Ray's application and register him in the Structural discipline. Vice Chairman Capezza, Jr. seconded the motion. The motion was passed unanimously, three in favor, one absent. Voting in favor were Chairman Smith, Vice Chairman Capezza, Jr., Mr. Fairbanks Jr., Board member. Absent was Secretary Richard A. Bernardo. Mr. Duhamel, Board Member left at 1:20PM

(12) Kevin D. Morin

Vice Chairman Capezza, Jr. made a motion to register Mr. Morin in the Fire Protection discipline. Mr. Fairbanks, Jr. seconded the motion. The motion was passed unanimously, three in favor, one absent. Voting in favor were Chairman Smith, Vice Chairman Capezza, Jr., Mr. Fairbanks Jr., Board member. Absent was Secretary Richard A. Bernardo. Mr. Duhamel, Board Member left at 1:20PM

(13) Atul Dalal

Mr. Fairbanks, Jr. made a motion to waive the penalty fee for Mr. Dalal due to extenuating circumstances. Vice Chairman Capezza, Jr. seconded the motion. The motion was passed unanimously, three in favor, one absent. Voting in favor were Chairman Smith, Vice Chairman Capezza, Jr., Mr. Fairbanks Jr., Board member. Absent was Secretary Richard A. Bernardo. Mr. Duhamel, Board Member left at 1:20PM

P.E. COMITY:

Vice Chairman Capezza, Jr. made a motion to grant comity to the following individuals in the disciplines specified. Mr. Fairbanks, Jr. seconded the motion. . The motion was passed unanimously, three in favor, one absent. Voting in favor were Chairman Smith, Vice Chairman Capezza, Jr., Mr. Fairbanks Jr., Board member. Absent was Secretary Richard A. Bernardo. Mr. Duhamel, Board Member left at 1:20PM

**Amrhein, Francis G. KS CIVIL Li, Xiangning NH STRUC.
Beane, Gary L. ME ELEC. Nicholson, Kenneth M. DE ELEC.
Brown, Robert H. ME MECH. Remson, Joseph F. CT ELEC.
Constantini, Paul L. PA STRUC Savoy, Philip J. VA MECH.
Goldberg, Jeffrey J. MA CIVIL St. Peter, Allan D. VT ELEC.
Kendall, Jesse R. VT STRUC. Whitton, Jr., Philip G. NH ELEC.**

Krafft, Christopher A. KS CIVIL

P.E. EXAM:

PE EXAMINATION:

Mr. Fairbanks, Jr. made a motion to admit the following individuals to the April 2010 Professional Engineering examination. Vice Chairman Capezza, Jr. seconded the motion. The motion was passed unanimously, three in favor, one absent. Voting in favor were Chairman Smith, Vice Chairman Capezza, Jr., Mr. Fairbanks Jr., Board member. Absent was Secretary Richard A. Bernardo. Mr. Duhamel, Board Member left at 1:20PM

CARUOLO, MICHAEL J. IACOBUCCI, KRISTA L.

HIDDEMA, JOHN R. RICCI, STEPHEN A.

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ENGINEER-IN-TRAINING EXAMINATION:

Vice Chairman Capezza, Jr. made a motion to admit the following individuals to the April 2009 Engineering-In-Training examination. Mr. Fairbanks, Jr. seconded the motion. The motion was passed unanimously, three in favor, one absent. Voting in favor were Chairman Smith, Vice Chairman Capezza, Jr., Mr. Fairbanks Jr., Board member. Absent was Secretary Richard A. Bernardo. Mr. Duhamel, Board Member left at 1:20PM

**AGODO, ONOZIAKPEZI GUTHMAN, III, FRANKLIN H.
AGONIA, JEFFREY A. MARTIN, LINDSEY
ALVAREZ, IGNACIO J. MCCAFFREY, OWEN A.
ARROYO, ADRIAN S. MCKEE, DEREK C.
BOISCLAIR, JOSHUA K. MELLO, III, JOSEPH L.
BURGER, STEPHEN PICA, JESSICA
CABRAL, MATTHEW ROY, ADAM
COBURN, NICHOLAS B. SCHORK, JR., GEORGE W.
DAHLMAN, ANDREW M. SENERCHIA, JR., ANTHONY
ERTEL, WILLIAM D. SHIDLER, DANIEL T.
FORAND, MELISSA ANN SPAIN, JASON R.
FORD, ROBERT TURBITT, MICHAEL
GOODWIN, RYAN P. VACHON, ANDREW**

C.O.A. APPLICATIONS;

Mr. Fairbanks, Jr. made a motion to approve the applications for Certificates of Authorization listed on the 9 December 2009 lists for Corporations, COA'S renewing, and Soles as noted in the specific disciplines mentioned with the exception of (0), which was denied. Vice Chairman Capezza, Jr. seconded the motion. The motion was passed unanimously, three in favor, one absent. Voting in favor were Chairman Smith, Vice Chairman Capezza, Jr., Mr. Fairbanks Jr., Board member. Absent was Secretary Richard A. Bernardo. Mr. Duhamel, Board Member left at 1:20PM

ADJOURNED:

Chairman Smith informed the Board that the next Board meeting would be scheduled for 20 January 2010 at 12:00 noon. Mr. Fairbanks made a motion to adjourn the meeting at 2:30 PM. Vice Chairman Capezza, Jr. seconded the motion. The motion was passed unanimously, three in favor, one absent. Voting in favor were Chairman Smith, Vice Chairman Capezza, Jr., Mr. Fairbanks Jr., Board member. Absent was Secretary Richard A. Bernardo. Mr. Duhamel, Board Member left at 1:20PM

Posted on January 11, 2009 (as a DRAFT) electronically on Secretary of State's Office website. Pursuant to the Open Meetings Law, R.I. Gen. Laws Sec. 42-46-6(b), business not included in this notice may be considered with the consent of the majority of the members, and/or may convene into Executive (closed) Session pursuant to R.I. Gen. Laws Sec. 42-46-5.

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C. O. A. APPLICATIONS

BOARD MEETING OF 9 DECEMBER 2009

SOLES PAID COMMENTS

THOMAS W. BRINKWORTH, M.SC.,PE 0 OK CIVIL

JAMES MCLOUGHLIN 0 OK CIVIL

EDGARD WEHBE, PE 0 OK STRUCTURAL

TOORAK, ZOKAIE 0 OK CIVIL

THE KPV GROUP 0 OK STRUCTURAL

SCOTT ZABILANSKY 0 OK CIVIL

CORPORATIONS

BALA CONSULTING ENGINEERS, INC. \$150 OK STRUCTURAL

ENVIRONMENTAL RESOURCES MGT., INC. \$150 OK CIVIL

LANGAN ENG. & ENVIR. SERVICES, INC. \$150 OK CIVIL

LIRO ENGINEERS, INC. \$150 OK CIVIL

REMEDIAL ENGINEERING, P.C. \$150 OK CIVIL

RMF ENGINEERING, INC. \$150 OK MECHICAL & ELECTRICAL

ROALD HAESTAD, INC. \$150 OK CIVIL

TRC ENGINEERS, INC. \$150 OK CIVIL

LIMITED LIABILITY CORPORATIONS

C & C CONSULTING ENGINEERS, LLC \$150 OK

N.A. WATER SYSTEMS, LLC \$150 OK ELECTRICAL

PROTERRA DESIGN GROUP, LLC \$150 OK CIVIL

RAD ENGINEERING, LLC 0 OK CIVIL

COA # 5699 CASALI & D'AMICO ENG. INC. \$50 . OK CIVIL

NAME CHANGE FROM CASALI & D'AMICO ENG. INC. TO JOE CASALI ENGINEERING, INC.

COA #5336 ENVIRONMENTAL PLANNING 0 OK CIVIL

AND SURVEYING ADD NIKKI C. ANDREWS IN RESP. CHARGE

COA #5960 CLIVE SAMUELS & ASSOC., INC. 0 OK MECHANICAL & ELECTRICAL

ADD SHELDON CUNNINGHIS IN RESP. CHARGE

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C. O. A. APPLICATIONS

BOARD MEETING OF 9 DECEMBER 2009

**COA#5081 ERM CONSULTANTING ENG., INC. \$50 MUST REAPPLY
NEEDS BOARD APPROVAL BEFORE THEY CAN GET GOOD
STANDING FROM SOS'S OFFICE ALSO REMOVING JAMES
FITZGERALD AND DENNIS ROOTE AND ADDING JEFFREY PLANTE**

**COA#5293 JACOBS ENG. GROUP, INC. 0
ADD GIANCARLO BOTAZZI AND WILLIAM T. GREER IN RESP.
CHARGE**

**COA#LLC 31 e2engineers, LLC 0
REMOVE KURT ASPLUND ADD RICHARD S. ERRICSON, JR. IN RESP.
CHARGE AND RENEW**

**COA#5982 DOWNES ASSOCIATES, INC. 0
ADD ALEXANDER M. GRIER IN RESP. CHARGE.**

**COA#5977 MCKINNELL MCKINNELL & TAYLOR 0
ADD FRANCIS J. TOMASZYCKI IN RESP. CHARGE**

**COA#5462 CAPACCIO ENVIRONMENTAL 0
ENGINEERING, INC. ADD WAYNE BATES IN RESP. CHARGE.**

**COA#5631 GROUNDWATER & ENVIRONMENTAL 0
SERVICES, INC.ADD MICHAEL DECOTEAU AND GERALD CRESAP
IN RESP. CHARGE `**

**COA#5067 DIPRETE ENGINEERING ASSOC., INC. 0
ADD AUDIE OSGOOD IN RESP. CHARGE**

WITHDRAWN

COA#5303 ROUX ASSOCIATES, INC.

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